

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**BLUEFIELD HOSPITAL COMPANY, LLC D/B/A
BLUEFIELD REGIONAL MEDICAL CENTER,
COMMUNITY HEALTH SYSTEMS, INC., AND/OR
COMMUNITY HEALTH SYSTEMS PROFESSIONAL
SERVICES CORPORATION, LLC, A SINGLE
EMPLOYER AND/OR JOINT EMPLOYERS**

and

Case 10-CA-153544

**NATIONAL NURSES ORGANIZING COMMITTEE
(NNOC), AFL-CIO**

CORRECTED DECISION AND ORDER

Statement of the Case

On March 11, 2020, Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center (Respondent Bluefield), Community Health Systems, Inc. (CHSI), Community Health Systems Professional Services Corporation, LLC (CHPSC), National Nurses Organizing Committee (NNOC), AFL-CIO (Charging Party or NNOC), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, approved by the administrative law judge and subject to Board approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The Respondent waived all further and other proceedings before the Board to which it may be entitled under the National Labor Relations Act (the Act) and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent Bluefield's business

At all material times, Respondent Bluefield has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act and has been a health care institution within the meaning of Section 2(14) of the Act.

2. The labor organization involved

At all material times, NNOC has been a labor organization within the meaning of Section 2(5) of the Act.

3. The appropriate unit

At all times since September 25, 2012, based on Section 9(a) of the Act, NNOC has been the exclusive collective-bargaining representative of the following appropriate bargaining unit:

All full time, regular part-time, and per diem Registered Nurses, including those who serve as relief charge nurses, employed by Respondent Bluefield at its 500 Cherry Street, Bluefield, West Virginia hospital; excluding all other employees, including managers, confidential employees, physicians, technical employees, service and maintenance employees, employees of outside registries and other agencies supplying labor to Respondent Bluefield, guards and supervisors as defined in the Act.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, Bluefield Hospital Company, LLC d/b/a Bluefield Regional Medical Center, Bluefield, West Virginia, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act.¹

(a) Make the following Certified Registered Nurse Anesthetists at Respondent Bluefield who were discharged about February 9, 2015, whole for any loss of earnings, if any, and other benefits, if any, suffered as a result of their discharges: Candace Blankenship, Van Browning, Marla Cline, Douglas Hess, Stephanie Morrison, John Riddle IV, Kristi Shrewsbury, and Shewana Workman.

¹ The General Counsel and the Respondent also negotiated an informal settlement agreement that provides, among other things, for the posting, reading, emailing, and mailing of a Notice to Employees that includes the allegations of the Third Amended Consolidated Complaint covered by this Formal Settlement Stipulation. The administrative law judge further issued an Order Granting Motions to Correct Notices and Clarify Settlement Agreements that, for the purposes of this Formal Settlement, corrects the heading of the notice.

(b) Compensate the Certified Registered Nurse Anesthetists identified above for the adverse tax consequences, if any, of receiving lump-sum backpay awards, if any, and file reports with the Regional Director allocating the backpay awards, if any, to the appropriate calendar years.

Dated, Washington, D.C., June 18, 2020

John F. Ring, Chairman

Marvin E. Kaplan, Member

William J. Emanuel, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

The Board's decision can be found at www.nlrb.gov/case/10-CA-153544 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

